

Order

Michigan Supreme Court
Lansing, Michigan

May 22, 2007

Clifford W. Taylor,
Chief Justice

ADM File No. 2006-35

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

Amendment of
Rule 6.445 of the
Michigan Court Rules

On order of the Court, notice of the proposed change and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 6.445 of the Michigan Court Rules is adopted, effective September 1, 2007.

[Additions are indicated in underlining and deletions are indicated in strikeover.]

Rule 6.445 Probation Revocation

(A)–(E) [Unchanged.]

(F) Pleas of Guilty. The probationer may, at the arraignment or afterward, plead guilty to the violation. Before accepting a guilty plea, the court, speaking directly to the probationer and receiving the probationer's response, must

(1)–(2) [Unchanged.]

(3) ascertain that the plea is understandingly, voluntarily, and ~~knowingly~~
accurately made, and

(4) [Unchanged.]

(G)–(H) [Unchanged.]

Staff Comment: The amendment of the rule creates uniformity between MCR 6.302, which deals with the requirements for pleas of guilty and nolo contendere to criminal offenses, and MCR 6.445, which deals with the requirements for pleas of guilty to probation-revocation violations.

The staff comment is not an authoritative construction by the Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 22, 2007

Corbin R. Davis
Clerk